

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BILLY MARQUIS, *et. al.*,

§

Plaintiffs,

§

v.

§

KHOSROW SADEGHIAN and
AMY JO SADEGHIAN,

§

§

§

Defendants.

ORDER

The above-titled and numbered action was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636. On December 30, 2021, the Magistrate Judge entered proposed findings of fact and a recommendation (the “Report”) (Docket No. 142) that Plaintiffs Billy Marquis, Alexis Marquis and Anthony Marquis’s (together, “Plaintiffs”) Amended Motion for Certification (the “Motion”) (Docket No. 115) be denied.

Because no objections to the Magistrate Judge’s Report have been filed, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions and recommendations. Except on grounds of plain error, the parties are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days).

Nonetheless, the Court has reviewed the Motion (Docket No. 115) and the Magistrate Judge’s Report (Docket No. 142) and agrees with the Report. See *United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the sound

discretion of the judge warrants.' '') (quoting *Mathews v. Weber*, 423 U.S. 261, 275 (1976)).

Accordingly, it is hereby

ORDERED that the Magistrate Judge's Report (Docket No. 142) is **ADOPTED** as the opinion of this Court. Plaintiffs' Motion (Docket No. 115) is **DENIED**.

So ORDERED and SIGNED this 21st day of January, 2022.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE